

ESTTA Tracking number: **ESTTA29017**

Filing date: **03/24/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding</b>	91115494
<b>Party</b>	Plaintiff TWELVE ISLANDS SHIPPING COMPANY LIMITED AND ALLIED DOMECQ SPIRIT & WINES USA, IN ,
<b>Correspondence Address</b>	EDWARD T. COLBERT KENYON & KENYON 1500 K STREET N.W. WASHINGTON, DC 20005
<b>Submission</b>	Response to Board Order/Inquiry
<b>Filer's Name</b>	Susan A. Smith
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<b>Signature</b>	/Susan Smith/
<b>Date</b>	03/24/2005
<b>Attachments</b>	Response to Order to Show Cause.pdf ( 3 pages )

In the Matter of Application Serial No. 75/449,634

Opposition No. 91115494

“If a show cause order is issued under 37 CFR § 2.128(a)(3), and the plaintiff files a response indicating that it has not lost interest in the case, the show cause order will be considered discharged, and judgment will not be entered against plaintiff for failure to file a main brief.” TBMP § 536. Opposer has not lost interest in this case, but instead wishes to resolve it. Accordingly, the order to show cause should be discharged and judgment should not be entered against Opposer.

In view of the parties' efforts to settle this matter, which hopefully should be near completion, Opposer believes that the Board should suspend this case pending settlement (or, resumption of proceedings at any time at the request of either party if, for some reason, settlement cannot be consummated). Counsel for Opposer contacted counsel for the Applicant, Ezra Pound, to discuss this matter, but hear back from him by the deadline for response to the order to show cause.

In view of the foregoing, Opposer respectfully requests that the Board discharge the order to show cause and suspend this case until the parties are able to resolve this matter, or until a party requests resumption of the proceedings.

Respectfully submitted,

s/ Susan Smith

Susan A. Smith

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## **CERTIFICATE OF SERVICE**

I hereby certify that on March 24, 2005, I caused a copy of the foregoing **RESPONSE TO ORDER TO SHOW CAUSE** to be served by first class mail, postage prepaid, on all counsel and pro se parties of record at the following addresses:

Ezra Sutton  
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- and -

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